

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 15, 2018

SEAN F. McAVOY, CLERK

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael Peter Spitzauer

Case Number: 0980 2:13CR06071-001

Address of Offender:

Richland, Washington 99352

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, U.S. District Judge

Date of Original Sentence: June 9, 2015

Original Offense: Ct. 1: Filing a False Tax Return, 26 U.S.C. § 7206(1); Ct. 2: Failure to File a Tax Return, 26 U.S.C. § 7203;

Original Sentence:	Prison - 48 months; TSR - 12 months	Type of Supervision:	Supervised Release
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Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: June 16, 2017

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: June 15, 2018

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

Violation Number	Nature of Noncompliance
1	Failure to maintain accurate records of all transactions.
2	Improper handling of cash receipts and disbursements.
3	Lack of segregation of duties between accounting personnel.
4	Unauthorized access to financial systems by non-staff members.
5	Inadequate internal controls over inventory management.
6	Failure to reconcile bank statements monthly.
7	Incorrect recording of accruals and deferrals.
8	Non-compliance with tax reporting requirements.
9	Insufficient documentation for capital asset acquisitions.
10	Failure to perform regular physical inventory counts.
11	Improper depreciation method applied to fixed assets.
12	Lack of oversight in vendor selection and payment process.
13	Failure to update chart of accounts annually.
14	Inconsistent application of accounting policies.
15	Non-adherence to GAAP principles in revenue recognition.
16	Failure to disclose related party transactions.
17	Improper treatment of contingencies and liabilities.
18	Lack of transparency in budgeting and forecasting.
19	Failure to conduct annual internal audits.
20	Non-compliance with SOX Act requirements for financial reporting.

1 **Mandatory Condition:** The defendant shall not commit another Federal, state, or local
crime.

Supporting Evidence: Michael Peter Spitzauer is considered to be in violation of his period of supervised release by committing the offense of Statement in Application and Use of Passport, under 18 U.S.C. § 1542, on or prior to August 2, 2017.

On June 19, 2017, the offender signed his Judgement in a Criminal Case acknowledging he understood he could not commit any additional federal, state, or local crime.

On March 13, 2018, an Indictment under case number 4:18-CR-6012SMJ, was filed in U.S. District Court in the Eastern District of Washington alleging the above noted criminal offense. The offender is currently detained at the Benton County Jail and is scheduled to make an initial appearance on March 15, 2018.

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Mandatory Condition: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Michael Peter Spitzauer is considered to be in violation of his period of supervised release by committing the offense of False Statement, under 18 U.S.C. § 1001, on or prior to August 2, 2017.

On June 19, 2017, the offender signed his Judgement in a Criminal Case acknowledging he understood he could not commit any additional federal, state, or local crime.

On March 13, 2018, an Indictment under case number 4:18-CR-6012SMJ, was filed in U.S. District Court in the Eastern District of Washington alleging the above noted criminal offense. The offender is currently detained at the Benton County Jail and is scheduled to make an initial appearance on March 15, 2018.

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Mandatory Condition: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Michael Peter Spitzauer is considered to be in violation of his period of supervised release by committing the offense of Aggravated Identity Theft, under 18 U.S.C. § 1028A(a)(1), on or prior to August 2, 2017.

On June 19, 2017, the offender signed his Judgement in a Criminal Case acknowledging he understood he could not commit any additional federal, state, or local crime.

On March 13, 2018, an Indictment under case number 4:18-CR-6012SMJ, was filed in U.S. District Court in the Eastern District of Washington alleging the above noted criminal offense. The offender is currently detained at the Benton County Jail and is scheduled to make an initial appearance on March 15, 2018.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 3/15/2018

s/David L. McCary

David L. McCary
U.S. Probation Officer

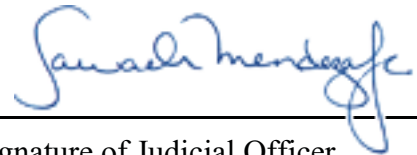
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

A handwritten signature in blue ink, appearing to read "Janade Mendez", is written over a horizontal line.

Signature of Judicial Officer

03/15/2018

Date